

CALFRESH (CF) PROGRAM

REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 08/15/2014	NEED RESPONSE BY: as soon as possible
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Sacramento County	
3. PHONE NO.:	7. SUBJECT: Deferred Action for Childhood Arrivals	
4. REGULATION CITE(S): unknown	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). none	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Do children admitted to the US under Deferred Action for Childhood Arrivals qualify for CalFresh?

10. REQUESTOR'S PROPOSED ANSWER:

According to Medi-Cal rules these individuals have deferred action status, which is one of the Permanently Residing in the United States under Color of Law (PRUCOL) categories. PRUCOL is considered to be a satisfactory immigration status for Medi-Cal eligibility purposes. DACA individuals are eligible for full scope funded Medi-Cal if they meet other eligibility requirements.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Deferred Action for Childhood Arrivals (DACA) allows certain individuals who came to the United States illegally as children to be deferred from removal for a period of three years. DACA does not confer lawful permanent resident status or a path to citizenship (see question #70 of DHS' DACA Questions and Answers) at:

<http://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-process/frequently-asked-questions>.

Federal SNAP legislation limits eligibility for SNAP benefits to U.S. citizens and certain lawfully present non-citizens. Those categories of non-citizens who are eligible for SNAP are identified in Supplemental Nutrition Assistance Program (SNAP) Guidance on Non-citizen Eligibility released in June of 2011:

http://www.fns.usda.gov/snap/government/pdf/Non-Citizen_Guidance_063011.pdf.

Such persons do not include those who are deferred from removal under DACA. Medi-Cal eligibility rules do not apply to CalFresh. Therefore, persons who are approved for DACA would not be eligible for CalFresh benefits (federal or state).

FOR CDSS USE

DATE RECEIVED: August 15, 2014	DATE RESPONDED TO COUNTY/ALJ: December 17, 2014 (R. Nevins)
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